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14. Walter Sheridan, Kennedy's Sub committee on Administrative Practice, Procedures and Health staff, called on Saturday around 3:30 and referring to prior conversations he has had with [redacted] noted that the Subcommittee would be holding joint hearings on Wednesday on DOD and CIA drug testing. In this connection, Sheridan has asked for two things. First, he requested a copy of all material (documents, etc.) which we have given to the [redacted] family. I asked him if he had a release from the [redacted] family authorizing the release of these documents. After a long pause, Sheridan said he did not. I said I had two problems with his request. One was the possibility of litigation in the [redacted] case and the other had to do with individual privacy. Sheridan asked what I meant and I explained there is a Privacy Act on the books and as they well knew there is considerable concern about the constitutional rights of individuals. Therefore I think we would have difficulty in releasing any such material. I did say I would look into it however. Second, Sheridan said he understood that CIA had done some testing of hallucinogenic drugs at Lexington, Kentucky and at a psychiatric hospital in Massachusetts and also in connection with Dr. Abramson. Sheridan wants to know whether this is true and if so he wants details. I told him I would have [redacted] be back in touch with him on Monday. I have discussed this with [redacted] and we agreed it should be taken up with Mitch and the Director on Monday at the 9:00 meeting.

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9 September 1975

The Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee and the Subcommittee on Health of the Committee on Labor and Public Welfare are having joint hearings on human experimentation by the DOD and CIA. Tom Sussman, Chief Counsel, and Walter Sheridan, Chief Investigator, have been in touch with OLC and OGC for the following:

- a. Drug and other behavioral experimentation and testing since 1970.
- b. All documents given to the [redacted]
- c. Any connection with the Massachusetts Psychiatric Hospital in Boston, the U.S. Government hospital in Lexington, and Dr. Abramson, in the field of drug and behavior testing.

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We have offered to provide them a briefing on our programs in this field since 1970 with emphasis on ongoing programs. The latter include self-hypnosis and mild electric shocks in relation to reliability of the polygraph. They have also asked for a copy of the informed consent forms and our review procedures for ongoing programs. We have resisted provision of the [redacted] documents and Sussman has now called the Director. Apparently a member of the [redacted] family and Dr. Abramson will be appearing on Wednesday or Thursday. According to John Warner if we cannot head off this hearing as it relates to the Agency, he believes we should turn over the [redacted] documents today.

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Drug Test Hearings

Resume Wednesday

A spokesman for the Senate Health Subcommittee and the Senate Subcommittee on Administrative Practices and Procedures said yesterday the committees will hold a joint hearing next Wednesday on human experimentation by the Defense Department and possibly by the CIA as well.

A subcommittee aide said they plan to have Defense Department and Food and Drug Administration representatives testify on experiments by the government on humans with drugs. The subcommittees, both chaired by Sen. Edward M. Kennedy (D-Mass.), also are seeking testimony from persons involved in the drug tests and families of persons who were harmed in experiments on humans.

The committees have also sought to obtain testimony on CIA drug experimentation from Dr. Sidney Gottlieb, the former director of the CIA's technical services division and the man who directed much of the intelligence agency's drug activities until his retirement in 1973.

A committee source said that Gottlieb's attorney, Terry Lenzner, had been contacted about Gottlieb's appearance at the hearing but that no final decision had been made. The subcommittees have rejected the idea of Gottlieb testifying in a closed session, the source said.

Much of the CIA's drug activity is classified, according to the source, and that could mean that Gottlieb could refuse to testify in an open hearing before the joint subcommittees. Lenzner was reported to be vacationing yesterday and was not available for comment.